

# FINAL AGENDA

9-9-2015 Version # 1



COMMUNITY ZONING APPEALS BOARD 7  
PHYLLIS RUTH MILLER ELEMENTARY SCHOOL

840 NE 87 Street, Miami

Wednesday, October 7, 2015 at 6:30 p.m.

**PREVIOUSLY DEFERRED**

A. 15-9-CZ7-1 KMART CORP

15-14

32-52-42



# Official Zoning Agenda

## COMMUNITY ZONING APPEALS BOARD

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### COMMUNITY ZONING APPEALS BOARD - AREA 7

MEETING OF WEDNESDAY, OCTOBER 7, 2015

PHYLLIS RUTH MILLER ELEMENTARY SCHOOL

840 NE 87 STREET, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 6:30 P.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMUNITY ZONING APPEALS BOARD SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMUNITY ZONING APPEALS BOARD BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE BOARD BE GRANTED BY THE MAJORITY VOTE OF THE BOARD MEMBERS PRESENT.

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE MEETING ROOM. PERSONS EXITING THE MEETING ROOM SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE MEETING ROOM IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE MEETING ROOM TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESSES

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- I. Selection of Chair and Vice-Chair
  - II. Sunset Review
  - III. Briefing on Sunshine and Jennings Law
- 

A. KMART CORP. (15-9-CZ07-1/15-014)

32-52-42  
Area 07/District 03

NON-USE VARIANCE to permit a detached multi-tenant sign setback 11' (19.6' required) from the front (east) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Kmart" as prepared by Southwest Signs, dated stamped received 7/15/15 and consisting of 2 sheets. Plans may be modified at public hearing.

LOCATION: 10700 BISCAYNE BLVD, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 9.78 Acres

Department of Regulatory and  
Economic Resources  
Recommendation:

**Approval with Conditions.**

Protests: 0

Waivers: 0

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE: \_\_\_\_\_

DENIED WITHOUT PREJUDICE: \_\_\_\_\_

DEFERRED: \_\_\_\_\_

Deferred from September 2, 2015

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**NOTICE**

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THE FOLLOWING SUMMARY INFORMATION IS PROVIDED AS A COURTESY; IT SHOULD NOT BE TREATED AS LEGAL ADVICE AND IT SHOULD NOT BE RELIED UPON. LEGAL CONSULTATION MAY BE WARRANTED IF AN APPEAL OR OTHER LEGAL CHALLENGE IS BEING CONTEMPLATED.

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Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Regulatory and Economic Resources (RER), within 14 days after RER has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (RER's posting will be made on a bulletin board located in the office of RER.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website ([www.municode.com](http://www.municode.com)). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Community Council No. 7**

**PH: Z15-014 (15-9-CZ7-1)**

**October 7, 2015**

**Item No. A**

<b>Recommendation Summary</b>	
<b>Commission District</b>	3
<b>Applicant</b>	Kmart Corp.
<b>Summary of Requests</b>	The applicant seeks to permit a detached multi-tenant sign setback less than required.
<b>Location</b>	10700 Biscayne Blvd, Miami-Dade County, Florida
<b>Property Size</b>	9.78 acres
<b>Existing Zoning</b>	BU-1A, Limited Business District
<b>Existing Land Use</b>	Commercial building and vacant land
<b>2020-2030 CDMP Land Use Designation</b>	Business and Office (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with the LUP map, and the interpretative text and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b), Non-Use Variance Standards, (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Approval with conditions.</b>

This item was deferred from the September 2, 2015, meeting of Community Zoning Appeals Board (CZAB) #7, due to a lack of quorum.

**REQUEST:**

NON-USE VARIANCE to permit a detached multi-tenant sign setback 11' (19.6' required) from the front (east) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Kmart" as prepared by Southwest Signs, dated stamped received 7/15/15 and consisting of 2 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

The submitted site plan shows a proposed 194 sq. ft. detached multi-tenant sign encroaching into the front back area on the 9.78 acre property.

<b><u>NEIGHBORHOOD CHARACTERISTICS</u></b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	BU-1A; commercial building and vacant land	Business and Office
<b>North</b>	RU-4M; condominiums	Low Medium Density Residential (6-13 dua)
<b>South</b>	BU-1A; auto repair	Business and Office
<b>East</b>	BU-1A; bank and commercial building/RU-4; condominiums	Business and Office Medium Density Residential

West	City of Miami Shores; single-family residences	Low Density Residential (2.5 – 6 dua)
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#### **NEIGHBORHOOD COMPATIBILITY:**

The 9.78 acre parcel is located at 10700 Biscayne Blvd. The surrounding area is characterized by commercial and residential uses.

#### **SUMMARY OF THE IMPACTS:**

The approval of the request would allow the applicant a 194 sq. ft. detached multi-tenant sign along the Biscayne Boulevard corridor, which could allow patrons to easily locate the retail store.

#### **COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the approximately 9.78-acre vacant subject property as **Business and Office**. Staff opines that the approval of the application to permit a detached sign would not change the existing retail uses on the entire subject property, which is a permitted use in the Business and Office category. Therefore, staff opines that approval of the application would be **consistent** with the CDMP Land Use Element interpretative text for properties designated Business and Office on the CDMP LUP map.

#### **ZONING ANALYSIS:**

When the request is analyzed under Section 33-311(A)(4)(b), Non-Use Variance standards, staff opines that approval of the request would be **compatible** with the surrounding area. Staff notes that the proposed sign would be located at the intersection of Biscayne Boulevard and NE 107 Street, and would face the opposite intersection of Biscayne and Quayside Boulevards to the east. Furthermore, staff notes that from the County's Geographic Information System (GIS) that the intersection between Biscayne Boulevard and NE 107 Street to Biscayne and Quayside Boulevards is approximately 110' wide and that the property line of the subject property is approximately 154' from the closest condominium apartment building and 129' from the service station to the east. Therefore staff opines that the distance from the subject property to neighboring properties lessens any negative visual impacts from the 8.6' encroachment into the front setback area on the properties to the east. As such, staff opines that approval of the request *would be compatible* with the surrounding land uses and that said approval would not be detrimental to the surrounding area. Based on staff's review of similar signage along Biscayne Boulevard in the City of North Miami, the proposed scale and height is similar to other commercial properties. **Therefore, staff recommends approval with conditions of the application under Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations standards.**

**ACCESS, CIRCULATION AND PARKING:** The subject parcel has an ingress/egress drive along NE 108 Street and an ingress/egress drive along Biscayne Boulevard. The Applicant will provide 529 parking spaces for the shopping center.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

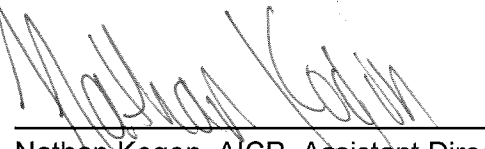
**OTHER:** Not applicable.

**RECOMMENDATION:** Approval with conditions

**CONDITIONS FOR APPROVAL:**

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, signs, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, Kmart" as prepared Southwest Signs, dated stamped received 7/15/15 and consisting of 2 sheets..
3. That the use be established and maintained in accordance with the approved plan.

NK:MW:NN:CH:EJ

  
\_\_\_\_\_  
Nathan Kogon, AICP, Assistant Director  
Development Services Division  
Miami-Dade County  
Department of Regulatory and Economic Resources

*MM*

# ZONING RECOMMENDATION ADDENDUM

KMART Corp.  
Z15-014

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
Division of Environmental Resource Management (RER)	No objections
Platting and Traffic Review Section (RER)	No objections
Parks, Recreation and Open Spaces	No objections
Police	No objections
Fire Rescue	No objections
Schools	No objections
Public Works and Waste Management Department	No objections
*Subject to conditions in their memorandum.	

## COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

<b>Business and Office</b> (Page I-40)	<i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for <b>Low Medium Density Residential</b>. This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.</i>
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## PERTINENT ZONING REQUIREMENTS/STANDARDS

<b>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</b>	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for <b>non-use variances</b> from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required</i>
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MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 7  
MOTION SLIP

APPLICANT'S NAME: KMART CORP

**#1**

REPRESENTATIVE:

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
15-9-CZ7-1 (15-014)	September 2, 2015	CZAB7	1	14

**REC: Approval with conditions**

<input type="checkbox"/> WITHDRAW: <input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____	
<input checked="" type="checkbox"/> DEFER: <input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>10/7/15</u>	<input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY: <input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE	
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE: <input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT	<input type="checkbox"/> PER D.I.C.
<input type="checkbox"/> WITH CONDITIONS		
<input checked="" type="checkbox"/> Other: _____		
Deferred due to lack of quorum.		

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Louis <b>IMBURGIA</b>	X		
COUNCILMAN		Jake <b>MILLER</b> (CA)			X
VICE CHAIRMAN		Walter <b>LEBOWITZ</b>			X
CHAIRMAN		Timothy <b>KEEGAN</b>	X		

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: NONE

**1. KMART CORP**  
**(Applicant)**

**15-9-CZ07-1 (15-014)**  
**Area 07/District 03**  
**Hearing Date: 09/02/15**

Property Owner (if different from applicant) **Same.**

Is there an option to purchase ☐ /lease ☐ the property predicated on the approval of the zoning request? **Yes** ☐ **No** ☒

Disclosure of interest form attached? **Yes** ☒ **No** ☐

**Previous Zoning Hearings on the Property:**

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1961	MACKIT CORP.	- Zone change from RU-4A to BU-2.	BCC	Approved with Condition(s)
1962	Wash & Wax Inc.	- Use Variance steam cleaning automobile wheels.	ZAB	Approved with Condition(s)
1967	John and Stella Shelbrick	- Variance setback and spacing requirements.	ZAB	Approved with Condition(s)
1968	Freedland and Samuels	- Use Variance to permit a business use in RU-4A. - Unusual Use to permit non commercial parking. - Variance of sign regulations.	ZAB	Approved with Condition(s)
1968	Freedland and Samuels	- Unusual Use to permit non commercial parking. - Variance lot zoning regulations.	BCC	Appeal Denied, Application Approved
1976	Directors	- Zone change from RU-4A to BU-1A.	BCC	Approved with Condition(s)
1992	K-Mart Corp.	- Non-Use Variance of Zoning regulation requiring all uses to be conducted within approved building. To waive same to permit outdoor retail garden sales.	ZAB	Approved with Condition(s)

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.


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# Memorandum



**Date:** July 23, 2015

**To:** Jack Osterholt, Deputy Mayor/Director  
Department of Regulatory and Economic Resources

**From:** Jose Gonzalez, P.E.  
Department of Regulatory and Economic Resources 

**Subject:** C-07 #Z2015000014-3<sup>rd</sup> Revision  
Kmart Corporation  
10700 Biscayne Blvd.  
Non-Use Variance to permit a free standing sign setback less than  
required.  
(BU-1A) (9.78 Acres)  
32-52-42

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The subject application has been reviewed by the Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

DERM has no pertinent comments regarding this application since the request does not entail any environmental concern.

## Concurrency Review Summary

A concurrency review has been conducted for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.


cc: Nathan Kogon, Department of Regulatory and Economic Resources

# Memorandum



**Date:** July 31, 2015

**To:** Nathan Kogon, Assistant Director  
Department of Regulatory and Economic Resources

**From:**  Raul A. Pino, PLS, Chief  
Platting and Traffic Review Section  
Department of Regulatory and Economic Resources

**Subject:** Z2015000014  
Name: Kmart Corp.  
Location: 10700 Biscayne Blvd.  
Section 32 Township 52 South Range 42 East

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The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has no objections.

- This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedications and/or improvements required will be accomplished thru the recording of a plat.


This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order

# Memorandum



**Date:** March 20, 2015

**To:** Eric Silva, Development Coordinator  
Regulatory and Economic Resources Department

**From:**   
Paul Mauriello, Deputy Director, Waste Operations  
Public Works and Waste Management Department

**Subject:** KMART Corporation (DIC #15\_014)

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The Public Works and Waste Management Department (PWWM) has **no objections to the proposed application.**

**KMART Corporation** is requesting a non-use variance of sign regulations to permit an existing single-tenant sign on the property. The existing retail use on the property meets the County Code definition of a commercial establishment. Per the Code, the following is required of commercial establishments located in unincorporated Miami-Dade County:

"Every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service.

**Section 15-2.3a** of the Code requires commercial establishments to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

- |                                  |  |
|----------------------------------|--|
| 1) High grade office paper       | 6) Steel (cans, scrap)                         |
| 2) Mixed paper                   | 7) other metals/scrap production materials     |
| 3) Corrugated cardboard          | 8) Plastics (PETE, HDPE-natural, HDPE-colored) |
| 4) Glass (flint, emerald, amber) | 9) Textiles                                    |
| 5) Aluminum (cans, scrap)        | 10) Wood                                       |

**Section 15-2.3** of the Code states the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

If you should have any questions, please do not hesitate to contact Stacey McDuffie, Manager, Fiscal Management and Planning Division, at 305-375-1354.

# Memorandum



**Date:** July 24, 2015

**To:** Jack Osterholt, Deputy Mayor  
Director, Regulatory and Economic Resources Department

**From:** Maria I. Nardi, Chief *U-11*  
Planning and Research Division  
Parks, Recreation and Open Spaces Department

**Subject:** Z2015000014: KMART CORP  
Revised Plans Submitted Dated Stamped Received 7/15/2015

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**Application Name:** KMART CORP

**Project Location:** The site is located at 10700 BISCAYNE BLVD, Miami-Dade County.

**Proposed Development:** The request is for non-use variance for a sign.

**Impact and demand:** This application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

**Recommendation:** PROS has no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. Based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION.**

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb

Cc: John M. Bowers, Parks Planning Section Supervisor



# Memorandum

**Date:** 02-JUL-15

**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**From:** Dave Downey, Fire Chief  
Miami-Dade Fire Rescue Department

**Subject:** Z2015000014

## Recommendation:

Existing FD comment memo dated 5/13/15 would stand.

## Service Impact/Demand

Development for the above Z2015000014  
located at 10700 BISCAYNE BLVD, MIAMI-DADE COUNTY, FLORIDA.  
in Police Grid 0545 is proposed as the following:

N/A	dwelling units	N/A	square feet
residential		industrial	
N/A	square feet	N/A	square feet
Office		institutional	
N/A	square feet	N/A	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: No Impact. N/A alarms-annually.

## Existing services

The Fire station responding to an alarm in the proposed development will be: Station # 20  
The estimated average travel time is: 6:30 minutes

## Planned Service Expansions:

The following stations/units are planned in the vicinity of this development: None.

## Fire Planning Additional Comments

No objection.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

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# Memorandum



**Date:** 13-MAY-15  
**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources  
**From:** Dave Downey, Fire Chief  
Miami-Dade Fire Rescue Department  
**Subject:** Z2015000014

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## Recommendation:

No objection to the site plan with a 2/18/15 RER received date.

## Service Impact/Demand

Development for the above Z2015000014  
located at 10700 BISCAYNE BLVD, MIAMI-DADE COUNTY, FLORIDA.  
in Police Grid 0545 is proposed as the following:

<u>N/A</u>	dwelling units	<u>N/A</u>	square feet
<u>residential</u>		<u>industrial</u>	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
<u>Office</u>		<u>institutional</u>	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
<u>Retail</u>		<u>nursing home/hospitals</u>	

Based on this development information, estimated service impact is: No Impact. N/A alarms-annually.

## Existing services

The Fire station responding to an alarm in the proposed development will be: Station # 20  
The estimated average travel time is: 6:30 minutes

## Planned Service Expansions:

The following stations/units are planned in the vicinity of this development: N/A  
N/A

## Fire Planning Additional Comments

Not applicable.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.



# ***Building and Neighborhood Compliance***

## **ENFORCEMENT HISTORY**

Kmart Corp

10700 BISCAYNE BOULEVARD  
MIAMI-DADE COUNTY, FLORIDA

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APPLICANT

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ADDRESS

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SEPTEMBER 2, 2015

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Z2015000014

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DATE

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HEARING NUMBER

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:  
JULY 16, 2015

NEIGHBORHOOD REGULATIONS:  
OPEN: THERE ARE NO CURRENT OPEN CASES

CLOSED:  
CASE#201406003985 WAS OPENED ON AUGUST 4, 2014, FOR TWO SHOPPING CARTS AT SOUTH PROPERTY LINE FULL OF TRASH. ON SEPTEMBER 17, 2014, A COMPLIANCE INSPECTION WAS CONDUCTED AND STAFF VERIFIED THAT COMPLIANCE WAS MET. CASE WAS CLOSED ON SEPTEMBER 17, 2014

CASE#201406004762 WAS OPENED ON SEPTEMBER 24, 2014, FOR FAILURE MAINTAIN THE BUSINESS PREMISE. A FOLLOW UP INSPECTION WAS CONDUCTED DECEMBER 10, 2014 AND STAFF VERIFIED THAT COMPLIANCE WAS MET. CASE WAS CLOSED ON DECEMBER 10, 2014

BUILDING SUPPORT REGULATIONS:  
THERE ARE NO CURRENT OPEN OR CLOSED CASES

VIOLATOR:  
KMART CORP.

OUTSTANDING LIENS AND FINES:  
AS OF JULY 16, 2015 THERE ARE NO OUTSTANDING LIENS OR FINES

### DISCLOSURE OF INTEREST\*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Kmart Corporation

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Kmart Corporation</u>	<u>KMRT</u>
<u></u>	<u>Publicly Traded Company</u>
<u></u>	<u></u>
<u></u>	<u></u>

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
<u></u>	<u>215014</u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

RECEIVED

FEB 18 2015

MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND ECONOMIC  
RESOURCES DEVELOPMENT SERVICES

BY

✓

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME:

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: \_\_\_\_\_

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: \_\_\_\_\_

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

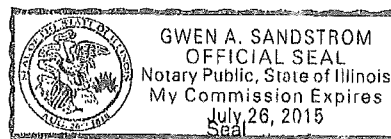
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature X [Signature] Robert Creecher, VP/Controller Kuwait Corporation  
(Applicant) (Print Applicant name)

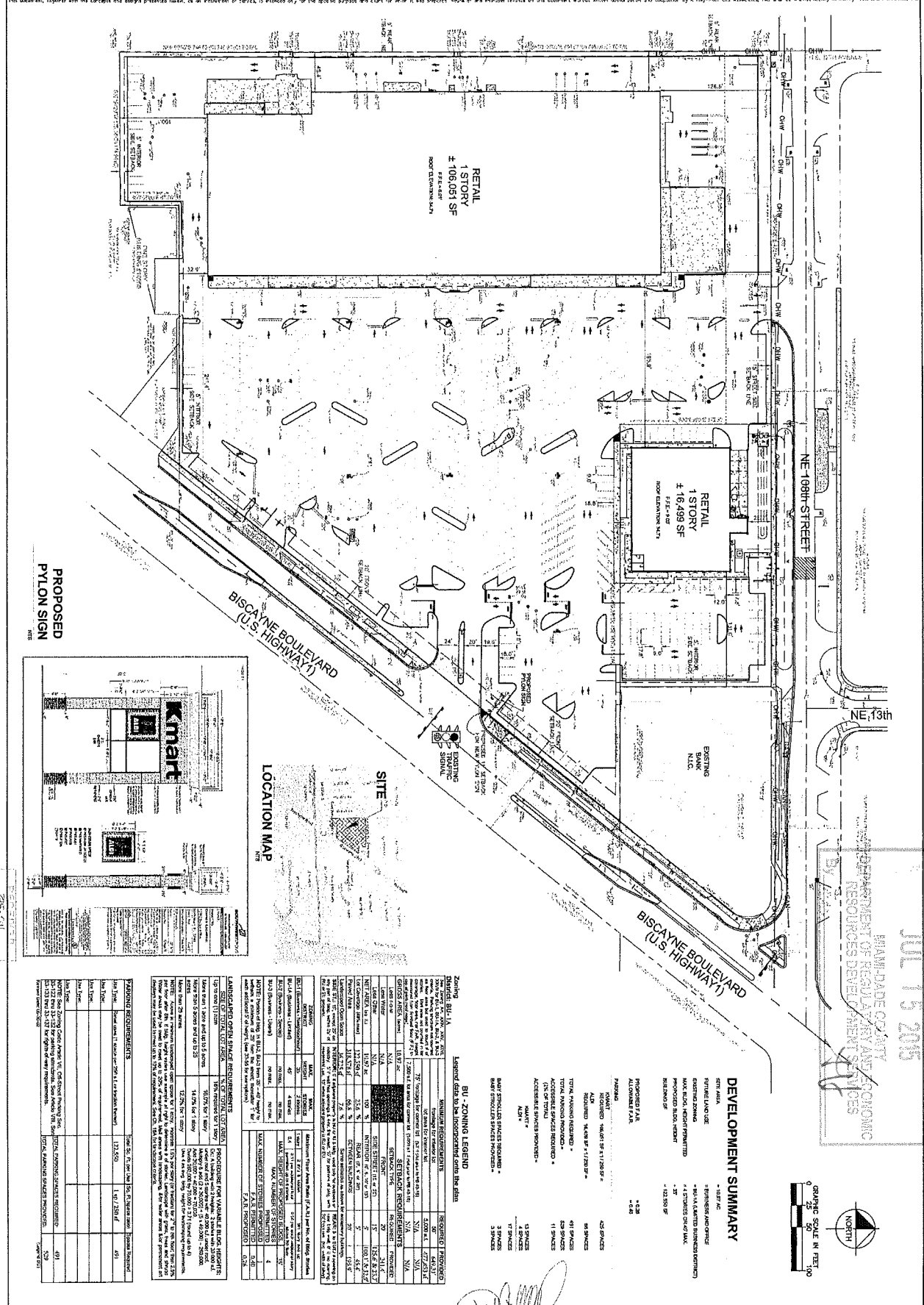
Sworn to and subscribed before me this 4 day of February 2015. Affiant is personally know to me or has produced \_\_\_\_\_ as identification.

[Signature]  
(Notary Public)

My commission expires: 7-26-2015



\*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.



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2504  
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MIAMI-DADE COUNTY  
DEPARTMENT OF REGULARITY AND ECONOMIC  
RESOURCES DEVELOPMENT SERVICES

### DEVELOPMENT SUMMARY

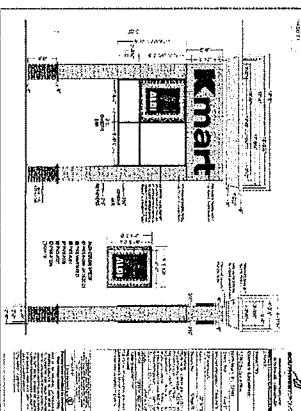
ITEM	DESCRIPTION	QUANTITY
1	RETAIL BUILDING (1 STORY)	1
2	RETAIL BUILDING (1 STORY)	1
3	PROPOSED PYLON SIGN	1
4	LANDSCAPING	1
5	PAVING	1
6	UTILITIES	1
7	ACCESSIBLE SPACES	1
8	ADDITIONAL SPACES	1
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100	ADDITIONAL SPACES	1

### BU - ZONING LEGEND

ZONE	DESCRIPTION	REQUIREMENTS
BU-1	Business	1. Minimum lot area: 10,000 sq. ft. 2. Minimum front setback: 10 feet. 3. Minimum side setback: 5 feet. 4. Minimum rear setback: 5 feet. 5. Maximum building height: 35 feet. 6. Maximum floor area ratio: 0.5. 7. Maximum number of stories: 3. 8. Maximum number of units: 10. 9. Maximum number of parking spaces: 10. 10. Maximum number of drive-through windows: 10. 11. Maximum number of drive-through windows: 10. 12. Maximum number of drive-through windows: 10. 13. Maximum number of drive-through windows: 10. 14. Maximum number of drive-through windows: 10. 15. Maximum number of drive-through windows: 10. 16. Maximum number of drive-through windows: 10. 17. Maximum number of drive-through windows: 10. 18. Maximum number of drive-through windows: 10. 19. Maximum number of drive-through windows: 10. 20. Maximum number of drive-through windows: 10.

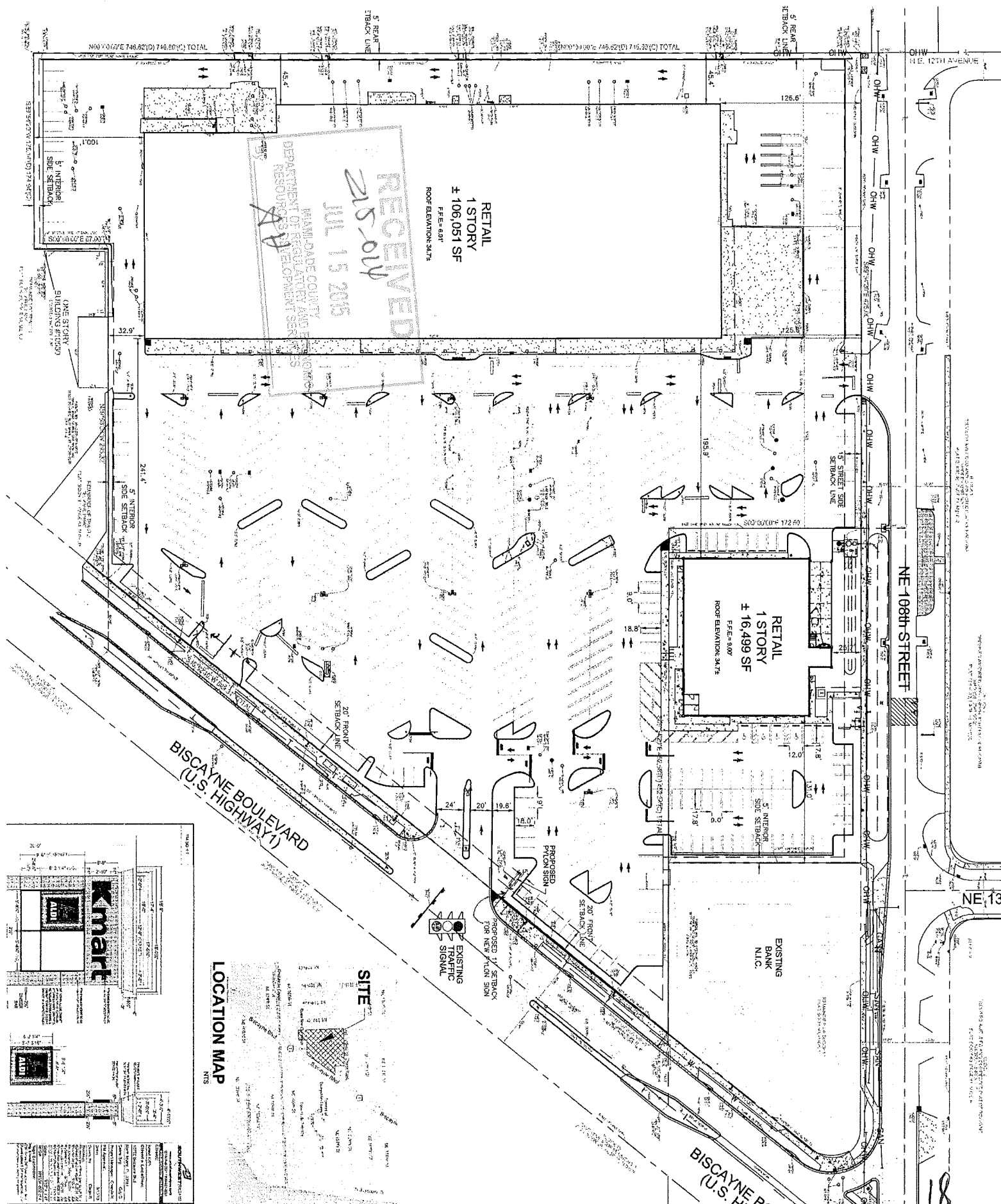
### LOCATION MAP

### PROPOSED PYLON SIGN



ITEM	DESCRIPTION	QUANTITY
1	RETAIL BUILDING (1 STORY)	1
2	RETAIL BUILDING (1 STORY)	1
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100	ADDITIONAL SPACES	1





**SOUTHWESTSIGNS**

www.southwestsigns.com  
(210) 648-3221 / 800-927-3221

**PRESENTATION DRAWING**

**Client:**

Kmart 4295

**Client's Location:**

10700 Biscayne Blvd  
North Miami, FL 33161

Sales Rep: Guy C.

Project Manager: Cheryl R.

PM Approval:

Date: 3/13/13

Drawn By: Diego R.

Revision:

Scale: NTS

W/O# 100334-004 of 4

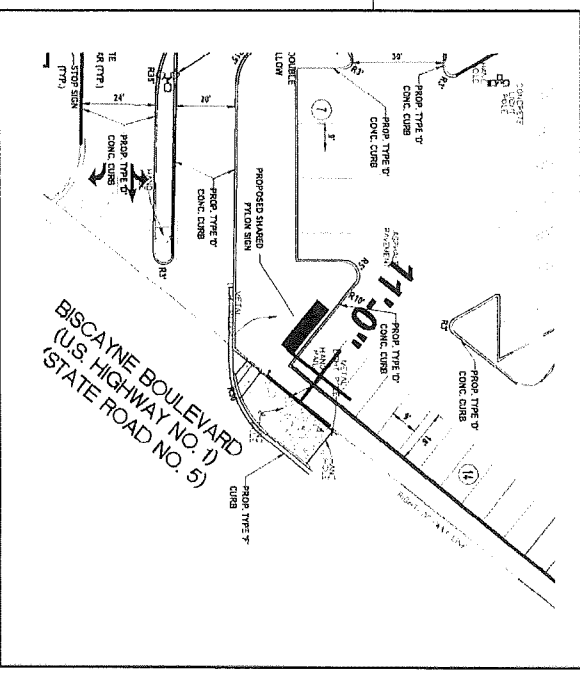
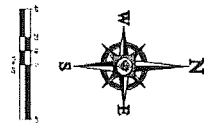
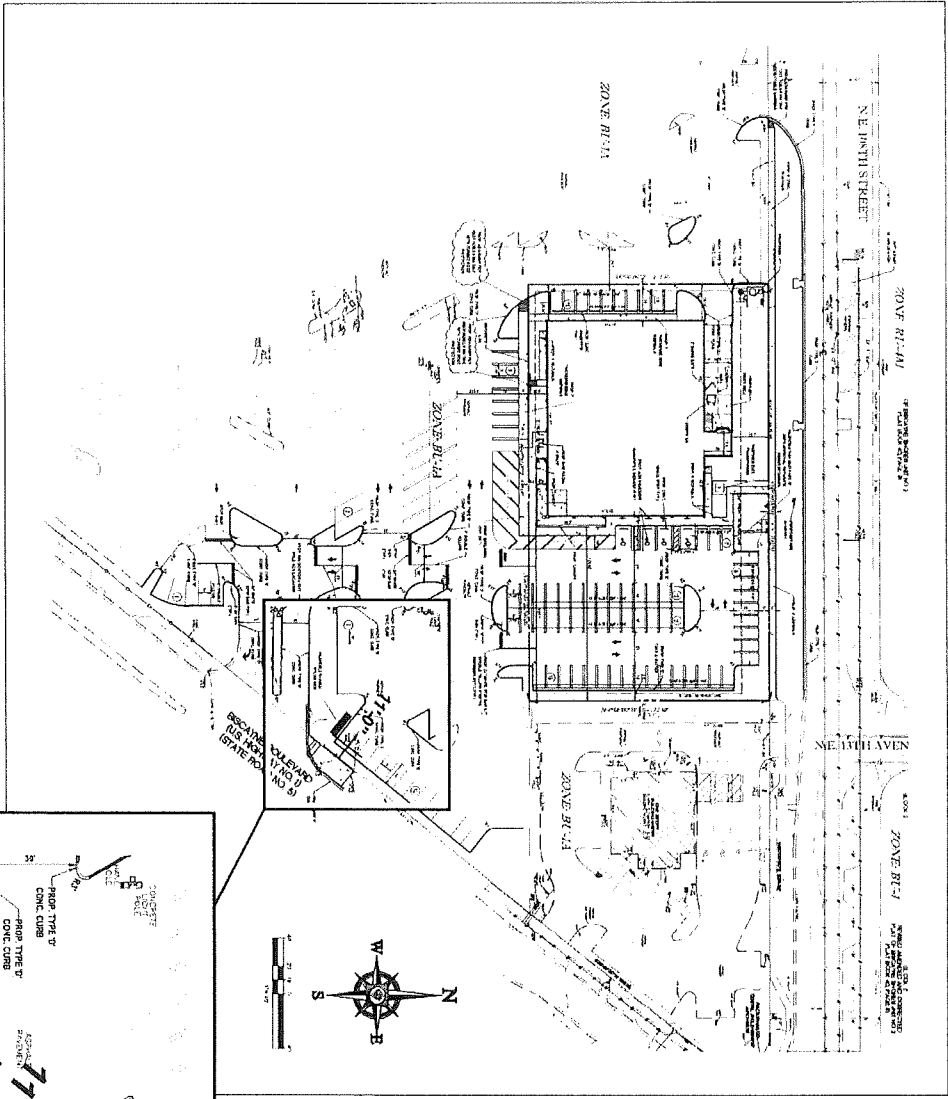
**Sign Description:**

"THIS SIGN IS INTENDED TO BE INSTALLED  
IN ACCORDANCE WITH THE REQUIREMENTS  
OF ARTICLE 608 OF THE NATIONAL ELECTRICAL CODE  
AND THE NATIONAL FIRE PROTECTION ASSOCIATION  
THIS INCLUDES PROPER GROUNDING  
AND BONDING OF THE SIGN."

Underwriters Laboratories Inc. (UL)

Primary wires provided by customer.  
Sign voltage based upon 120V.

**Customer Approval:**



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215-04  
JUN 23 2015  
FLORIDA COUNTY  
DEPARTMENT OF REGULATORY AND ECONOMIC  
RESOURCES DEVELOPMENT SERVICES  
BY: AIT



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(210) 648-3221 / 800-927-3221

**PRESENTATION DRAWING**

**Client:**

Kmart 4295

**Client's Location:**

10700 Biscayne Blvd

North Miami, FL 33161

Sales Rep: Guy C.

Project Manager: Cheryl R.

PM Approval:

Date: 3/13/13

Drawn By: Diego R.

Revision:

Scale: NTS  
W/O# 100334-004 of 4

**Sign Description:**

"THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ANY AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN."

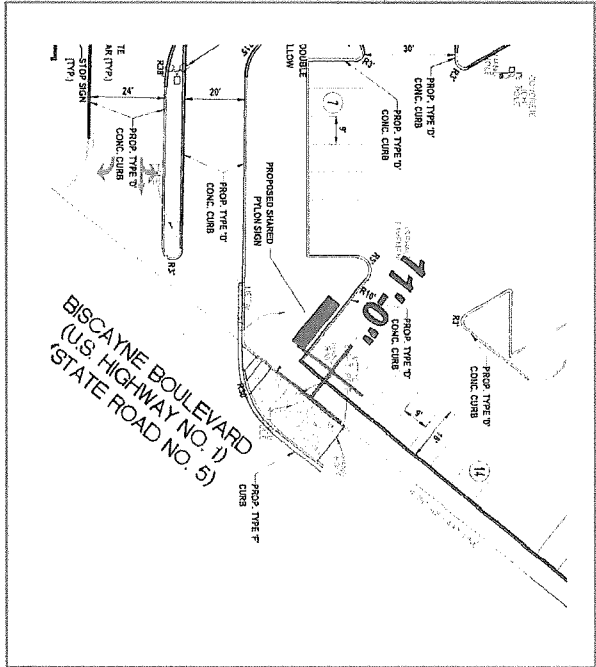
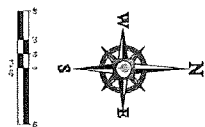
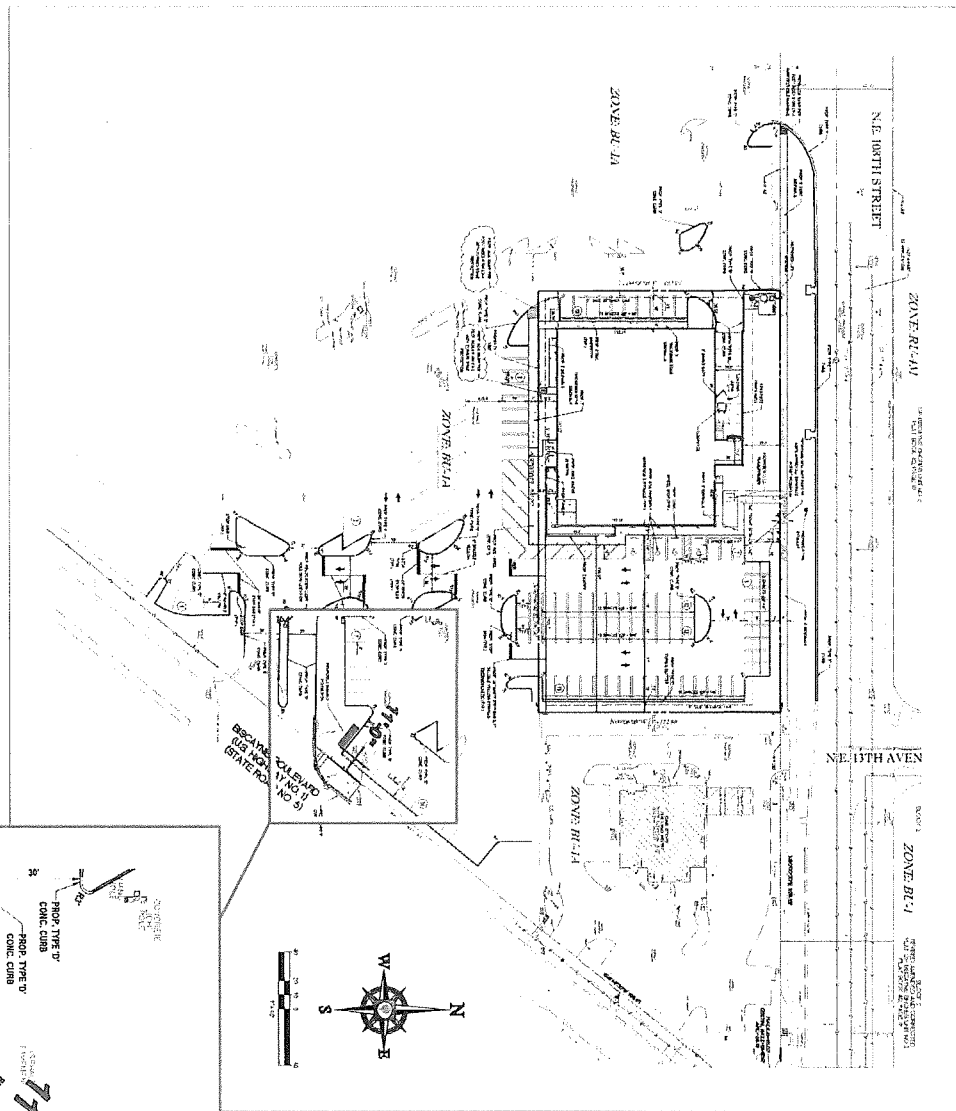
**Underwriters**

Laboratories Inc.

Primary wires provided by customer.  
Sign voltage based upon 120V.

THIS IS AN ORIGINAL UN-PUBLISHED DRAWING CREATED BY SWS SIGNS. IT IS SUBMITTED FOR YOUR PERSONAL USE IN CONJUNCTION WITH A PROJECT BEING PLANNED FOR YOU BY SWS SIGNS. IT IS NOT TO BE SHOWN TO ANYONE OUTSIDE YOUR ORGANIZATION, NOR IT IS TO BE USED, REPRODUCED, COPIED OR EXHIBITED IN ANY FASHION.

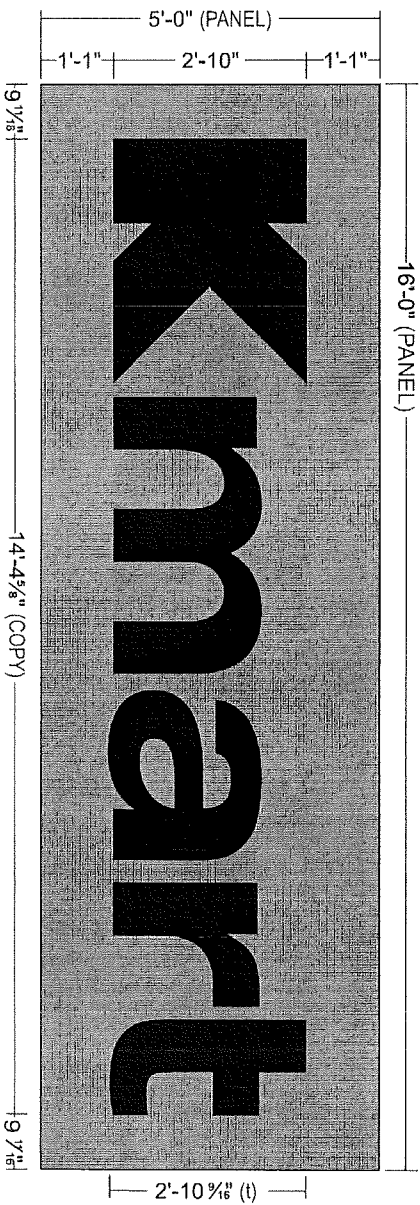
**Customer Approval:**



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215-014  
JUN 23 2013  
DEPARTMENT OF TRANSPORTATION  
FLORIDA HIGHWAY DEPARTMENT SERVICES  
AD



PANEL DETAIL - SCALE: 3/8"=1'-0"



**"Kmart"**

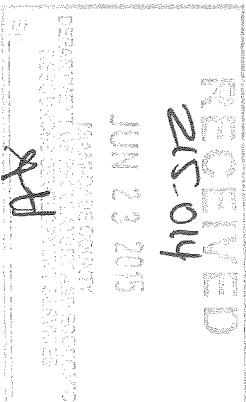
TWO (2) SETS OF LED INTERN. ILLUM. FACE LT  
CHANNEL LETTERS.

- FACES: 7328 WHITE, 3M 3632-33 RED OVERLAY
- TRIMCAP: 1" JEWELITE PTM PMS 485c RED
- RETURNS: 5" .050 ALUM. PTM PMS 485c RED
- BACKS: .080 ALUM.
- ILLUM: RED LED
- INSTALL: FLUSH MOUNT TO ALUM. FASCIA HEADER PANEL

**"Kmart"**

COLOR SPECS

- 3M 3632-33 RED
- PMS 485c



**SOUTHWESTSIGNS**

www.southwestsigns.com  
(210) 648-3221 / 800-927-3221

**PRESENTATION DRAWING**

**Client:**

Kmart 4295

**Client's Location:**

10700 Biscayne Blvd

North Miami, FL 33161

Sales Rep: Guy C.

Project Manager: Cheryl R.

PM Approval:

Date: 3/13/13

Drawn By: Diego R.

Revision:

Scale: 1/4" = 1'-0"

W/O# 100334-003 of 4

**Sign Description:**

Header Panel Details

"THIS SIGN IS INTENDED TO BE INSTALLED  
IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE  
AND/OR OTHER APPLICABLE LOCAL CODES.  
THIS DRAWING IS NOT TO BE USED FOR  
THE INSTALLATION OF THE SIGN."

Underwriters

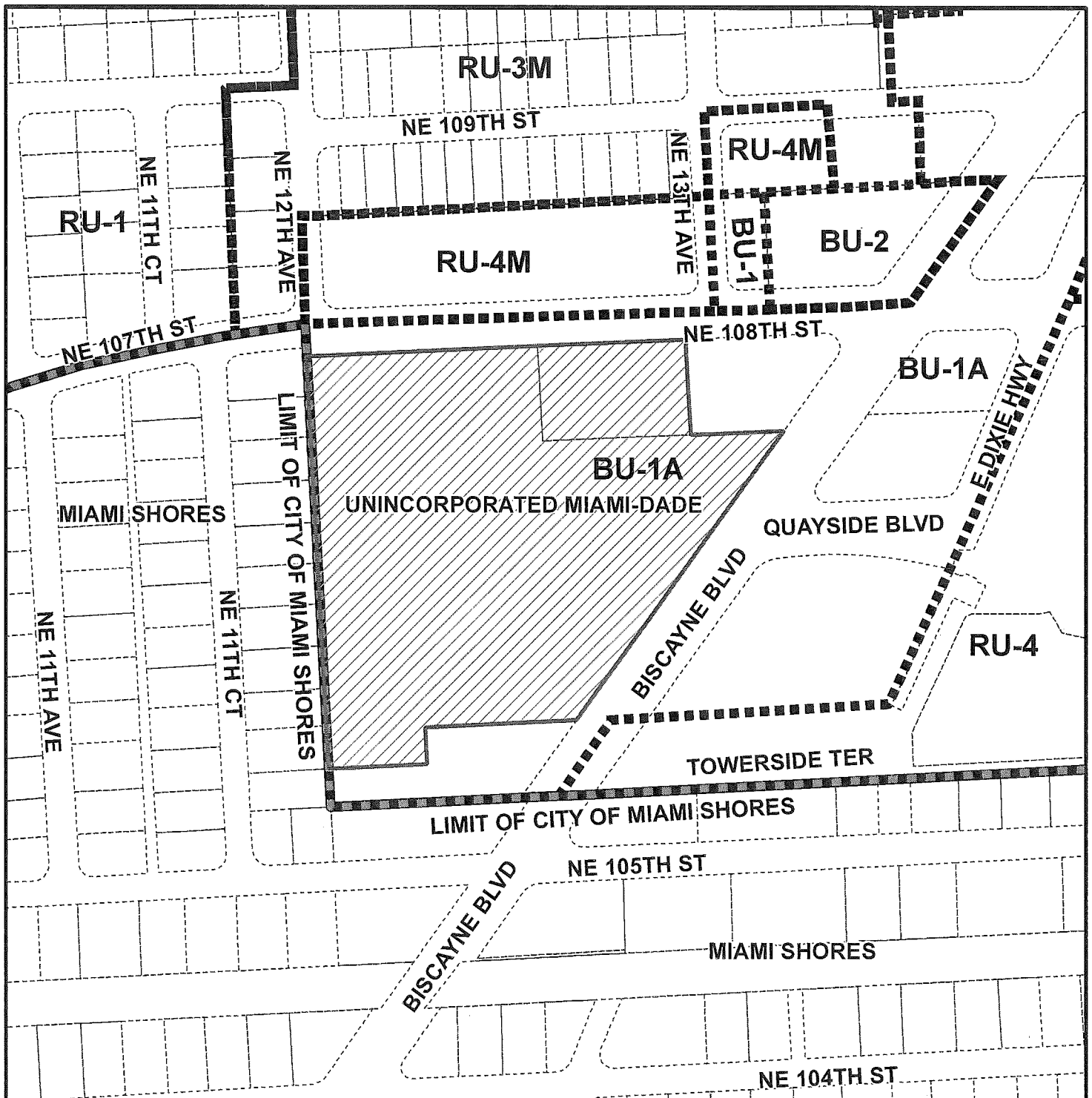
Laboratories Inc. •

Primary wires provided by customer.

Sign voltage based upon 120V.

THIS IS AN ORIGINAL UNPUBLISHED  
DRAWING CREATED BY SWS SIGNS. IT  
IS SUBMITTED FOR YOUR PERSONAL  
USE IN CONJUNCTION WITH A PROJECT  
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TO BE USED, REPRODUCED, COPIED OR  
EXHIBITED IN ANY FASHION.

Customer Approval:






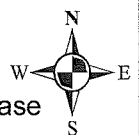
**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2015000014**

Section: 32 Township: 52 Range: 42  
Applicant: KMART CORP  
Zoning Board: C7  
Commission District: 3  
Drafter ID: E.CESPEDES  
Scale: NTS

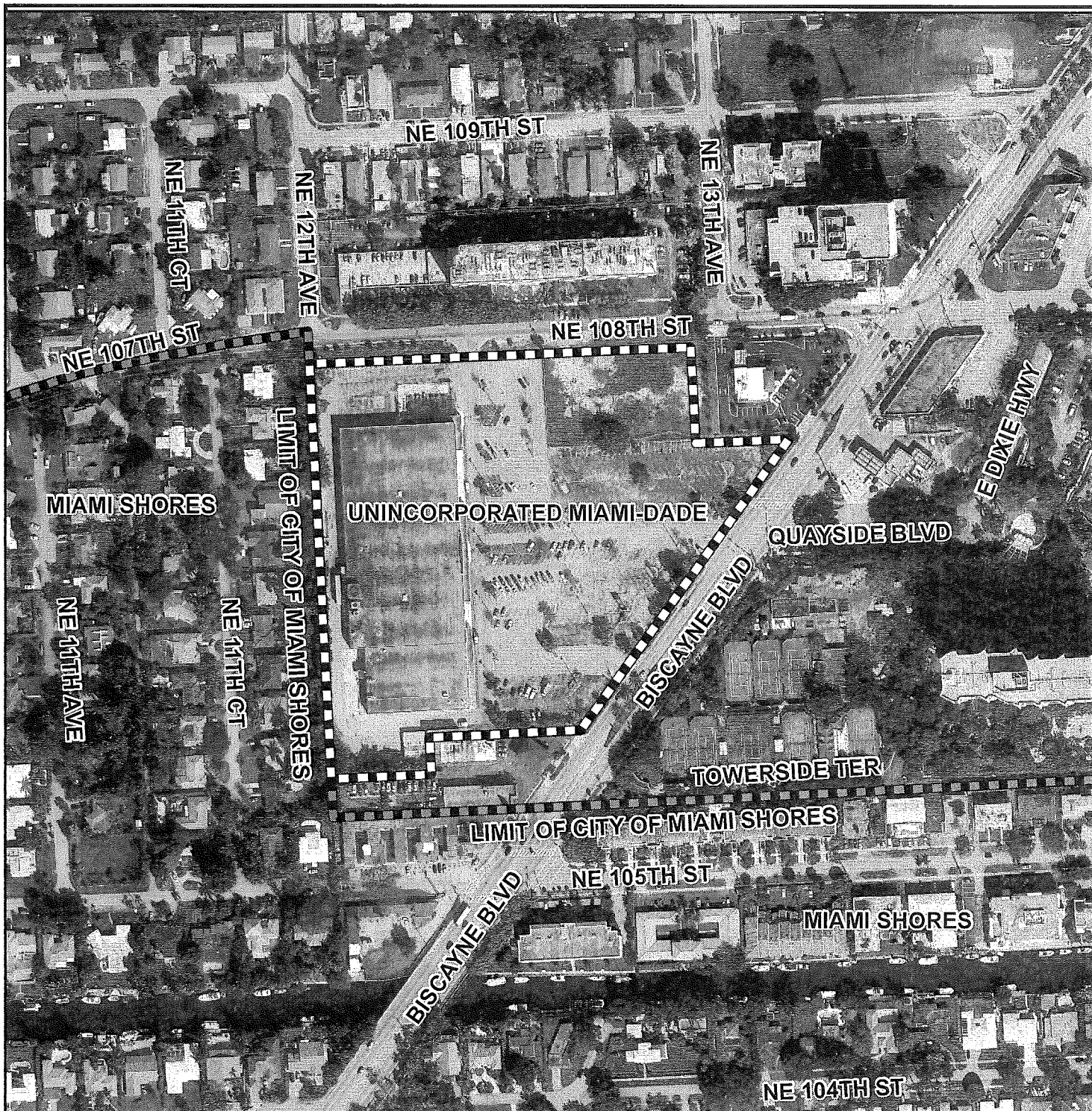
**Legend**

-  Subject Property Case
-  Zoning
-  Municipalities



SKETCH CREATED ON: Thursday, February 26, 2015

REVISION	DATE	BY
	2/26	



# MIAMI-DADE COUNTY

AERIAL YEAR 2014

Process Number

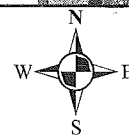
**Z2015000014**

## Legend



Subject Property

Municipalities



Section: 32 Township: 52 Range: 42

Applicant: KMART CORP

Zoning Board: C7

Commission District: 3

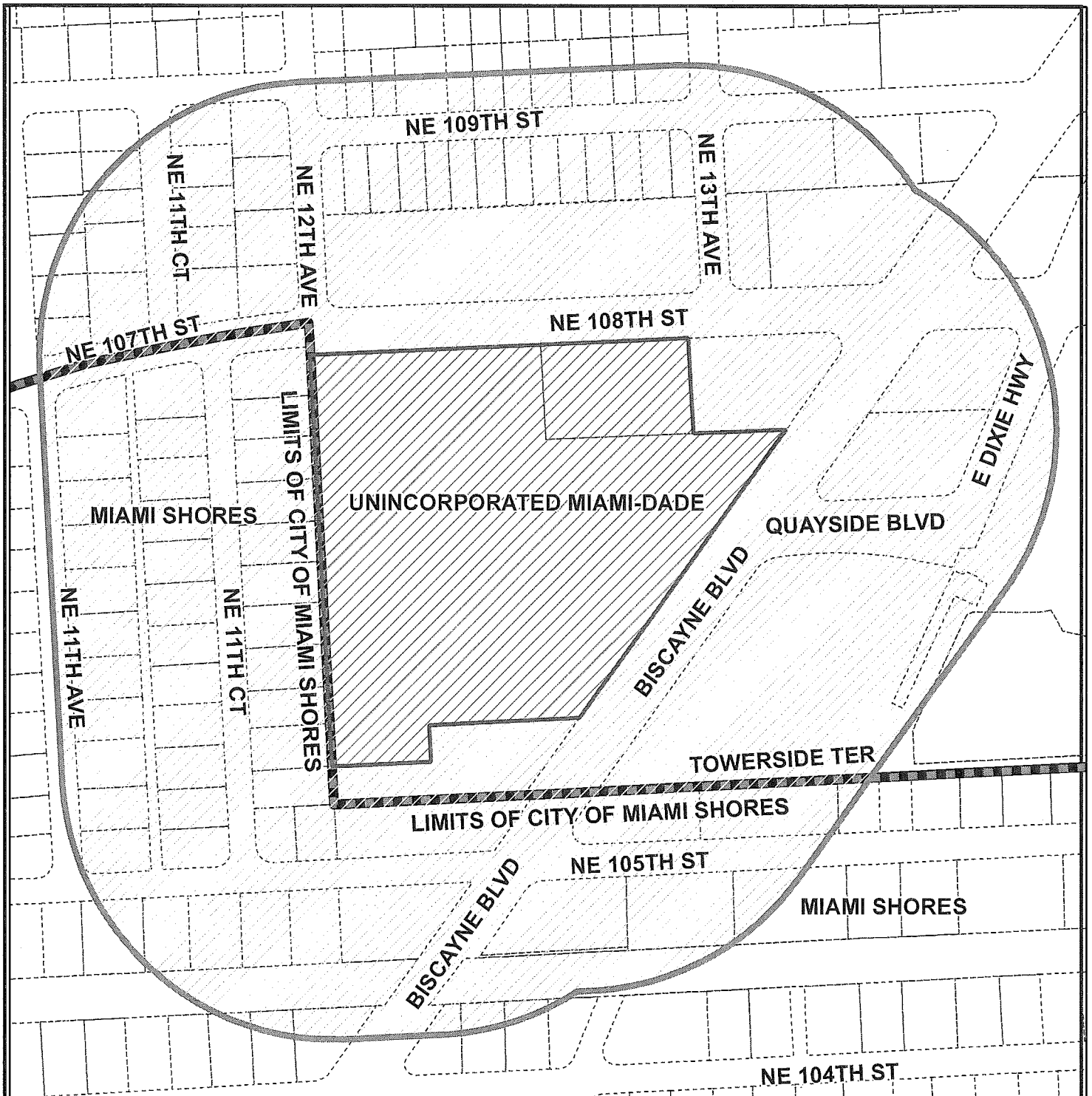
Drafter ID: E.CESPEDES

Scale: NTS



SKETCH CREATED ON: Thursday, February 26, 2015

REVISION	DATE	BY
	2/23	







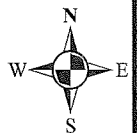
**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Section: 32 Township: 52 Range: 42  
Applicant: KMART CORP  
Zoning Board: C7  
Commission District: 3  
Drafter ID: E.CESPEDES  
Scale: NTS

Process Number  
**Z2015000014**  
RADIUS: 500

**Legend**

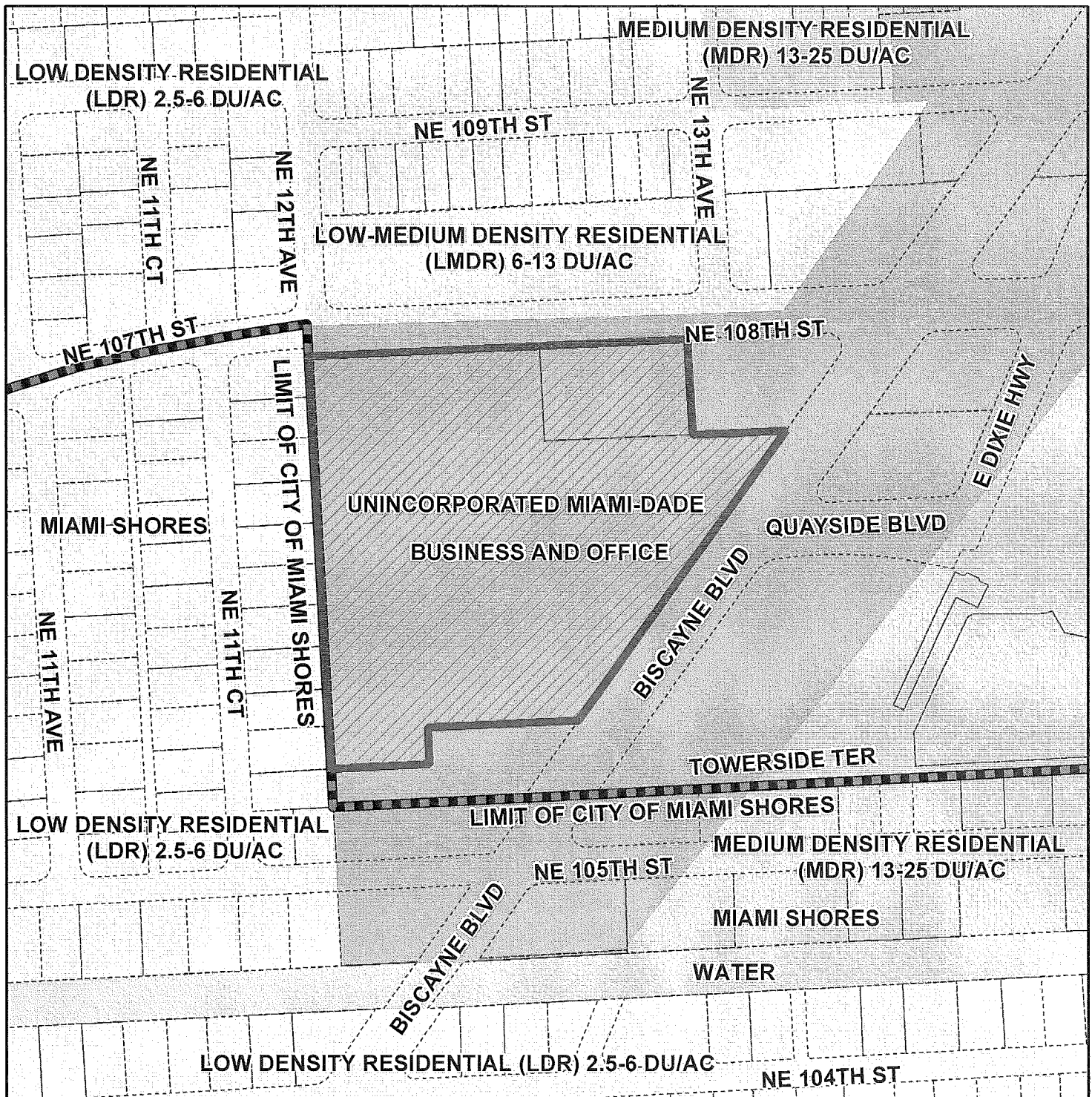
-  Subject Property
-  Buffer
-  Municipalities
-  Property Boundaries



SKETCH CREATED ON: Thursday, February 26, 2015

REVISION	DATE	BY
	24	







**MIAMI-DADE COUNTY**  
CDMP MAP

Process Number

**Z2015000014**

Section: 32 Township: 52 Range: 42  
Applicant: KMART CORP  
Zoning Board: C7  
Commission District: 3  
Drafter ID: E.CESPEDES  
Scale: NTS

**Legend**

-  Subject Property Case
-  Municipalities



SKETCH CREATED ON: Thursday, February 26, 2015

REVISION	DATE	BY